REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of 22 October 2007 (Office Action). As this response is filed before the expiration of the 3-month shortened statutory period, no fees are believed to be due. However, the Examiner is authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-3610.

In paragraph 1, the Examiner objected to the drawings under 37 CFR § 1.121(d) for failing to include a legend designating Figure 1 as Prior Art. Applicants have amended the drawings to overcome this objection. Hence, Applicants respectfully request the 37 CFR § 1.121(d) objection be withdrawn in light of this amendment.

In paragraphs 2-9, the Examiner rejected claims 1, 3-12, 14, and 19-21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,158,778 to Sameer, *et al.* (hereafter "Sameer"), in view of U.S. Patent No. 6,381,636 to Cromer, *et al.* (hereafter "Cromer"). In paragraphs 10-13, the Examiner rejected claims 2, 13, 15, 16, 17, and 18 as being unpatentable over Sameer, *et al.* in view of Cromer, *et al.,* in further view of "Wake On LAN – an Overview" (hereafter WOL).

A. Claim Amendments Have Been Made, Which are Fully Supported

Applicants have amended claims 3, 8, and 9 to emphasize that the mobile device remains in a powered down state when responding to the discovery, as noted by page 3, lines 1-4 of the disclosure (i.e., last paragraph of the summary) and to emphasize that the wireless network is connected directly to the wireless adaptor via a system management (SM) bus, as noted by page 5, lines 20-22.

Claim 5 has been amended to emphasize that asset information from the mobile device is stored in an associated entry of the access point, as stated in the original claim 6 and as shown in the table of FIG. 4.

Claim 6 has been amended to be dependent only on claim 1.

These claim amendments are fully supported by the Application and no new matter has been added.

Additionally, the ability of information retrieval from the nonvolatile storage (claims 3, 8, and 9) connected to the wireless network adaptor via a system management bus is not taught or suggested by the cited art. Such a limitation is directed at conserving power by not requiring a mobile computer to completely power on (and only requiring the wireless adaptor be powered). Sameer is unconcerned with this claim limitation in this context, since Sameer teaches that periodic checking of requests is not to be performed by the mobile device (see Col 2, lines 60-65).

B.   The Examiner has Failed to Address Each Claimed Limitation in the Present Office Action

In order for a claim to be properly rejected under 35 U.S.C. § 103(a), each and every claim limitation must be taught or suggested by a combination of cited references. Applicants respectfully point out limitations contained in claims 6, 12, 17, and 18 are neither present in the cited art nor are addressed in the Office Action. These claims specify that asset information from the mobile device (in response to the request) is stored in the access point.

Sameer, Cromer, and WOL fail to provide such as teaching. Sameer teaches that requests are cached in an access point, but fails to teach that responses are cached (instead, teaching responses are to be provided directly from the mobile device to a requesting device). Cromer and WOL fail to teach that requests or request responses are to be cached in an access point.

More specifically, paragraph 5 of the Office Action (rejecting claim 6) makes no mention of "an access point is further configured to store asset information of the mobile client in the table" as claimed. Instead, it only refers to storing pending requests.

Paragraph 8 of the Office Action (rejecting claim 12) cites a reference of Cromer based on FIG. 4A that shows a structure of a network packet. Cromer fails to teach that a MAC address is stored in an AP table. Such a limitation is included in claim 12 - "the mobile system stores its asset information in the table (defined as an access point table in claim 10, which is in

the chain of dependency). Additionally, claim 12 states "and further comprising code means response to a subsequent request for the mobile system's asset information, to service using the access point). That is, the asset information stored in the access point is used to respond to subsequent requests. None of the cited references (Sameer, Cromer, nor WOL) provide such teaching.

In paragraph 12 of the Office Action (rejecting claim 17), the Examiner cites Col. 1, Lines 63-67 of Cromer for teaching "each entry in the table (of the AP by antecedent basis) is further enabled to store the corresponding mobile system's MIF asset information". Instead, the cited reference teaches that MIF information is stored in a device that is inaccessible to the network when the computer system is powered off. The MIF asset information of the reference is NOT stored in an access point as claimed.

Paragraph 13 of the Office Action is used to reject claim 18, which comprises: "wherein the server request is a request for the mobile client's asset information and wherein the access point services the request itself if the table contains a valid copy of the mobile client's asset information." Paragraph 13, however acknowledges that the claimed limitation is NOT taught by Sameer, but fails to provide a reference that does teach the claimed limitation.

For these reasons, unmodified claims 6, 12, 17, and 18 contain patentable subject matter not taught by any cited references of the OA and should be in an allowable state. Applicants respectfully request that these claims be allowed and the rejections based upon 35 U.S.C. § 103(a) be withdrawn.

C.   The Combination of Claimed Elements is Non-Obvious

Applicants respectfully assert that the combination of claimed elements is non-obvious. That is, one of ordinary skill in the art in absence of the teachings of the Application would not have combined the elements as suggested.

Cromer and WOL both deal exclusively with technologies used with constantly powered network adaptors. This is explicitly stated in Cromer at Col. 3, lines 34-37 and under the first paragraph of "How it works" of WOL. Neither Cromer nor WOL suggest that their teachings

can apply outside this context. The fact that no Wake-On-LAN technologies exist for WIFI network adaptors despite their high presence and despite the widespread use of Wake-On-LAN technologies for line-based network adaptors seems significant (i.e., are secondary factors supporting non-obviousness of the combination).

Sameer is only concerned with obtaining interactive information from a mobile device when the mobile device is in a power-on mode. Sameer is "spoofing" an AP to make other network elements think an offline device is online so that **requests to the offline device** can be stored for later handling. No information is retrieved or contemplated being retrieved during Sameer, which is evident by Sameer teaching that WIFI polling should be disabled from the mobile device (Col. 2, lines 60-65). Thus, even attempting to modify Sameer to include a nonvolatile memory linked to the wireless card from which information can be retrieved when the mobile device is off, alters the principles of Sameer in a way not contemplated by Sameer.

Sameer depends on messages being sent to a known network address (TCP/IP) for a device, where device is considered connected to a network from a perspective of other devices, even when that device is not present (Col. 3, lines 45-50). The AP of Sameer retains a "live" TCP/IP address for the computing device, even when it is off-line. In contrast Wake-On-LAN technology's and associated MAC "magic packets" exist to deal with a problem of losing a network address (non-static) when a device is powered off. With these different and contrary uses of technologies, one of ordinary skill would not think to combine these different and contrary fields of teachings.

Additionally, as claimed in the independent claims 1, 7, and 14, asset information is retrieved from a data store of a mobile device even when the mobile device is in a powered off state. Neither Cromer nor WOL (nor Sameer) suggest that Wake-On-LAN technologies can be applied to wireless network adaptors. No known art existed at the time of the invention that does suggest such a thing, which would indicate that an inventive step at the very least would be needed to make such a leap.

For the above reasons, the 35 U.S.C. § 103(a) rejections to claims 1-21 should be withdrawn as being non-obvious, which action is respectfully requested.

The non-obviousness of combining elements is particularly strong for claims 2, 11, 12, 13, 15, 16, 17, and 18, which teach an access point being configured to recognize a request as a packet containing a MAC address or "magic packet." Sameer provides no teachings that would indicate special packet routing should be established for handling Magic Packets, which by default would be configured to refuse packets not associated with a valid TCP/IP address (to avoid packet storms as described in WOL). Further, there is no reason for Sameer to accept a magic packet, as Sameer teaches a persistence of the IP address of a powered down mobile device at the AP, which is what permits "virtual network connectivity" to be maintained as taught.

Thus, with regard to combining elements for claim 2, 11, 12, 13, 15, 16, 17, and 18, the Examiner proposed modification of Sameer contradicts the intended purpose of Sameer and changes it's principle of operation from persisting the TCP/IP address at the AP server needed for having "virtual network connectivity", which is impermissible under MPEP 2143.01 sections 5 and 6. The proposed modification of Cromer/WOL for claims 2, 11, 12, 13, 15, 16, 17, and 18 also changes the principle of operation of the references from adjusting a device to a power-on-state (Wake on LAN) to providing a means for accessing asset information via a WIFI link, which is also impermissible under MPEP 2143.01 sections 5 and 6.

For the above reasons, the 35 U.S.C. §103(a) rejections to claims 2, 11, 12, 13, 15, 16, 17, and 18 should be withdrawn, which action is respectfully requested.

D.   The References Fail to Teach/Suggest a Mobile Device Periodically Waking Up to the Wireless Network Adaptor to Poll an Access Point as Claimed.

Claims three, 8, 9, 20 are specifically directed to periodically polling and responding to requests stored in the AP. Responses can occur when the mobile device is largely powered off (only the wireless network adaptor is powered on), due to the non-volatile memory connected via the system bus to the wireless network adaptor.

In the Office Action, Col. 2, Lines 60-62 of Sameer are cited as teaching a device that periodically wakes up and polls an access point. Sameer, however, actually contradicts this teaching. Specifically, Col. 2, lines 60-65 states:

> "**In contrast** to the standard specified by the IEEE 802.11, the device 11 is **not required** to wake up periodically to receive beacon signals form the AP 19. **Rather**, the device **only** sends a signal to the AP 19 before it goes off-line, and sends another signal to the AP 19 after the device becomes accessible again."

Sameer teaches that a virtual network connection is to persist with a powered off network device. The reason Sameer teaches that polling should be disabled is to save power and because Sameer fails to teach or suggest that any type of data retrieval operation can be conducted while a mobile device is in a powered off mode. No such teachings are present in Cromer or WOL either, as they really would not make sense in a context of a constantly powered network card or in a context of attempting to power-on a device using Wake-On-LAN technologies.

For this reason, the rejections to claims 3, 8, 9, and 20 should be withdrawn, which action is respectfully requested.

E.   Conclusion

Applicants have shown that it is non-obvious to combine the references of Sameer, Cromer, and WOL. Applicants have also shown that none of the references teach or suggest storing asset information from a mobile device within an access point; recognizing packets containing a MAC address instead of a TCP/IP address within an access point (AP) and handling them appropriately; a mobile device that periodically polls an access point for stored requests directed towards the mobile device; connecting a nonvolatile memory to a wireless access card so that information can be obtained from the nonvolatile memory when a mobile device is in a power-off state; and/or an access point being able to directly service requests using stored asset information acquired from a set of mobile devices.

For all of the above reasons, Applicants respectfully request removal of the rejections to claims 1-21, which are now believed to be in an allowable state.

The Applicants request that the Examiner call the undersigned (**305-761-1972**) if clarification is needed on any matter within this Reply, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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